IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

MONDAY, THE 19TH FEBRUARY 2007 / 30TH MAGHA 1928

Crl.Rev.Pet.No. 688 of 1998()

CRA.5/1996 of ADDL.SESSIONS COURT-II, KOZHIKODE
CC.246/1994 of JUDL.MAGISTRATE OF FIRST CLASS-II, THAMARASSERY
.....

REVN. PETITIONER/APPELLANT/ACCUSED:

BABY JOSEPH, S/o. JOSEPH,
PARIYAKARAPPIL HOUSE,
KAKKADAM POYIL, KOOMBARA,
KOZHIKODE.

BY ADV. SMT S.R.BINDU (SASTHAMANGALAM)

RESPONDENT:

STATE REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. C.M.KAMMAPPU

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 19/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R.UDAYABHANU, J

CRL.R.P.No.688 of 1998

Dated this the 19th day of February, 2007

O R D E R

Revision petitioner stands convicted for the offences under Sections 279 and 337 IPC and sentenced to undergo simple imprisonment for a period of one month for the offence under Section 279 and to pay a fine of Rs.250/- and in default, to undergo simple imprisonment for a period of 15 days for the offence under Section 337 IPC.

2. The passengers had sustained only minor injuries. The accident has taken place on 27.3.1994. Considering the fact that the revision petitioner is facing the ordeal of prosecution and the impending sentence of imprisonment for more than a decade, it is only proper to convert the sentence of imprisonment to one of fine. The conviction is sustained and the sentence under Section 279 is modified to payment of fine of Rs.1,000/- and in default, to undergo simple imprisonment for a period of one month and the sentence under Section 337 IPC is sustained as such.

The Criminal Revision Petition is disposed of accordingly.

K.R.UDAYABHANU,
JUDGE

csl

K.R.UDAYABHANU, J

Crl.R.P.No.899 of 2001

ORDER

15th February, 2007